

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

WILLIAM T. MOCK; *et al.*,

Plaintiffs,

v.

MERRICK GARLAND, in his official
capacity as Attorney General of the United States;
et al.,

Defendants.

Civil Action No. 4:23-cv-00095-O

THIRD DECLARATION OF DAVID DAHL

I, David Dahl, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following statements are true and correct to the best of my knowledge:

1. I am over 18 years of age, competent to testify, and have personal knowledge of the matters stated herein.

2. I am the Chief Operating Officer and Executive Vice President of Manufacturing of Maxim Defense Industries, LLC (“Maxim Defense”) and have held those positions since 2018. I have worked for Maxim Defense, in some capacity, since 2015.

3. Since submitting my second declaration with this Court on March 17, 2023, Maxim Defense’s financial situation has continued to deteriorate due to the Final Rule and the effect it is having on the stabilizing brace and braced pistol market.

4. On April 10, 2023, Maxim Defense was forced to part ways with another 7 employees and to reduce all remaining employees’ wages by 15%. An additional employee is unable to remain with Maxim Defense due to the pay decrease and will be parting ways shortly. With those 8 individuals, and the 5 individuals from February 2023, Maxim Defense has now been

forced to part ways with 13 employees due to the negative impact of the Final Rule in order to even have a chance at surviving long enough to obtain a decision on the merits in this case.

5. But even taking those steps will not guarantee Maxim Defense's long-term survival. The Final Rule's immediate application destroyed the market for hundreds of thousands of dollars of stabilizing braces already in Maxim Defense's inventory. Because of the Final Rule, Maxim Defense has been unable to pay for that past inventory, which has destroyed its ability to obtain new capital to purchase *any* firearm parts to allow it to survive.

6. Maxim Defense lost total sales of over \$1.2 million in March 2023, compared to March 2022, and of over \$730,000 from April 1st through 15th, 2023, compared to the same period in 2022. These losses include a loss of both direct consumer and OEM sales of Maxim Defense's products.

7. Thus, although Maxim Defense is continuing its efforts to undertake a strategic restructuring and reorganizing of its operations to mitigate the impact of the ongoing loss of revenue, including by attempting to enter into new and different markets without the ability to obtain financing, those efforts have not been able to offset the enormous harm to Maxim Defense's business stemming directly from the Final Rule.

DATED this 18th day of April, 2023.



David Dahl
COO/EVP of Manufacturing
Maxim Defense Industries, LLC